

## DISCONTINUANCE OF SOUND DUES

*Convention signed at Washington April 11, 1857*

*Ratified by Denmark October 15, 1857.*

*Senate advice and consent to ratification January 5, 1858*

*Ratified by the President of the United States January 7, 1858*

*Ratifications exchanged at Washington January 12, 1858*

*Entered into force January 12, 1858*

*Proclaimed by the President of the United States January 13, 1858*

11 Stat. 719; Treaty Series 67 <sup>1</sup>

The United States of America and his Majesty the King of Denmark, being desirous to terminate amicably the differences which have arisen between them in regard to the tolls levied by Denmark on American vessels and their cargoes passing through the Sound and Belts, and commonly called the Sound Dues, have resolved to conclude a Convention for that purpose, and have named as their plenipotentiaries, that is to say, the President of the United States, Lewis Cass, Secretary of State of the United States, and his Majesty the King of Denmark, Torben Bille, Esquire, Knight of the Dannebrog and decorated with the Cross of Honor of the same order, his said Majesty's Chargé d'Affaires near the Government of the United States; who, after having communicated to each other their full powers, in due form, have agreed to and signed the following articles:

### ARTICLE I

His Majesty the King of Denmark declares entire freedom of the navigation of the Sound and the Belts in favor of American vessels and their cargoes, from and forever after the day when this Convention shall go into effect as hereinafter provided. And it is hereby agreed that American vessels and their cargoes after that day shall not be subject to any charges whatever in passing the Sound or the Belts, or to any detention in the said waters, and both Governments will concur, if occasion should require it, in taking measures to prevent abuse of the free flag of the United States by the shipping of other nations which shall not have secured the same freedom and exemption from charges enjoyed by that of the United States.

<sup>1</sup> For a detailed study of this convention, see 7 Miller 519.

## ARTICLE II

His Danish Majesty further engages that the passages of the Sound and Belts shall continue to be lighted and buoyed as heretofore without any charge upon American vessels or their cargoes on passing the Sound and the Belts, and that the present establishments of Danish pilots in these waters shall continue to be maintained by Denmark. His Danish Majesty agrees to make such additions and improvements in regard to the lights, buoys and pilot establishments in these waters, as circumstances and the increasing trade of the Baltic may require. He further engages that no charge shall be made, in consequence of such additions and improvements, on American ships and their cargoes passing through the Sound and the Belts.

It is understood, however, to be optional for the Masters of American vessels either to employ in the said waters Danish pilots at reasonable rates fixed by the Danish Government, or to navigate their vessels without such assistance.

## ARTICLE III

In consideration of the foregoing agreements and stipulation on the part of Denmark, whereby the free and unincumbered navigation of American vessels through the Sound and the Belts is forever secured, the United States agree to pay to the Government of Denmark once for all the sum of seven hundred and seventeen thousand, eight hundred and twenty nine Rix dollars, or its equivalent, three hundred and ninety-three thousand and eleven dollars in United States currency, at London on the day when the said Convention shall go into full effect as herein afterwards provided.

## ARTICLE IV

It is further agreed that any other or further privileges, rights or advantages which may have been or may be granted by Denmark to the commerce and navigation of any other nation at the Sound and Belts, or on her coasts and in her harbors, with reference to the transit by land through Danish territory of merchandize belonging to the citizens or subjects of such nation, shall also be fully extended to and enjoyed by the citizens of the United States, and by their vessels and property in that quarter.

## ARTICLE V

The general Convention of friendship, commerce and navigation, concluded between the United States and his Majesty the King of Denmark on the 26th of April, 1826,<sup>2</sup> and which was abrogated on the 15th of April, 1856, and the provisions contained in each and all of its articles, the 5th article alone excepted, shall after the ratification of this present Convention again

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<sup>2</sup> TS 65, *ante*, p. 1.

become binding upon the United States and Denmark; it being, however, understood that a year's notice shall suffice for the abrogation of the stipulations of the said Convention hereby renewed.

#### ARTICLE VI

The present Convention shall take effect as soon as the laws to carry it into operation shall be passed by the governments of the contracting parties, and the sum stipulated to be paid by the United States shall be received by or tendered to Denmark; and for the fulfilment of these purposes, a period not exceeding twelve months from the signing of this Convention shall be allowed.

But if, in the interval, an earlier day shall be fixed upon and carried into effect for a free navigation through the Sound and Belts, in favor of any other power or powers, the same shall simultaneously be extended to the vessels of the United States and their cargoes, in anticipation of the payment of the sum stipulated in Article III; it being understood, however, that in that event the Government of the United States shall also pay to that of Denmark four per cent interest on the said sum from the day the said immunity shall have gone into operation until the principal shall have been paid as aforesaid.

#### ARTICLE VII

The present Convention shall be duly ratified and the exchange of ratifications shall take place in Washington within ten months from the date hereof, or sooner if practicable.

In faith whereof the respective plenipotentiaries have signed the present Convention, in duplicate, and have thereunto affixed their seals.

Done at Washington this eleventh day of April in the year of our Lord one thousand eight hundred and fifty-seven, and of the Independence of the United States the eighty-first.

LEWIS CASS	[SEAL]
TORBEN BILLE	[SEAL]